



International
Civil Aviation
Organization

Organisation
de l'aviation civile
internationale

Organización
de Aviación Civil
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Международная
организация
гражданской
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24 March 2005

Subject: Assembly Resolution A35-7: Unified strategy
to resolve safety-related deficiencies

Action required: To note the Resolution and take
action as appropriate

Sir/Madam,

1. I have the honour to invite your attention to Assembly Resolution A35-7: Unified strategy to resolve safety-related deficiencies, which was adopted by the 35th Session of the ICAO Assembly (Montreal, 28 September to 8 October 2004). During its preliminary review of the Assembly Resolutions adopted at the 35th Session, the Council, at the first meeting of its 173rd Session held on 27 October 2004, inter alia, requested the Organization to act in accordance with the relevant clauses of the Resolution, the text of which is attached hereto.

2. The 35th Session of the Assembly expressed its appreciation for the work of the Council, Air Navigation Commission and Secretariat in developing the means to strengthen worldwide safety oversight and unanimously endorsed the concept of a unified strategy to resolve safety-related deficiencies. It highlighted that, for the first time, all States had indicated they would like open information (transparency) to improve safety and to achieve compliance with Standards and Recommended Practices (SARPs).

3. The Assembly discussed the difficulties encountered and recognized the challenges faced by some Contracting States in implementing their safety oversight systems and corrective measures emanating from their action plans. In this regard, Contracting States were invited to use the services of the ICAO Technical Cooperation Bureau (TCB) and to take advantage of the funding opportunity offered by the International Financial Facility for Aviation Safety (IFFAS).

4. The Assembly recognized the importance of cooperation among States and the support which can be made available to States by those who are able to provide such assistance. The concept of regional safety oversight organizations was supported, and the creation of regional or sub-regional partnerships to collaborate in the development of solutions was encouraged by the Assembly. The benefits of regional and sub-regional organizations such as the Central American Agency for Aviation Safety (ACSA)

and the Pacific Aviation Safety Office (PASO) as well as projects such as cooperative development of operational safety and continuing airworthiness programme (COSCAP) in providing a regional strategy to resolve these difficulties were noted.

5. In recognizing that transparency and sharing of information were among the fundamental tenets of a safe air transportation system, the Assembly urged all Contracting States to share with other Contracting States critical safety information which may have an impact on the safety of international air navigation and to facilitate access to all relevant safety information. A proposal for increased transparency and disclosure of audit results and greater analysis and disclosure of information contained in the ICAO Audit Findings and Differences Database (AFDD) was specifically discussed by the Assembly. The Assembly encouraged Contracting States to make full use of available safety information when performing their safety oversight functions, including inspections, as provided for in Article 16 of the *Convention on International Civil Aviation* (Doc 7300).

6. Furthermore, the Assembly reminded Contracting States of the need for surveillance of all aircraft operations, including foreign aircraft within their territory, and to take appropriate action when necessary to preserve safety. In this respect, the Assembly directed the Council to develop a procedure to inform all Contracting States, within the scope of Article 54 j) of the Convention, of significant compliance shortcomings with respect to ICAO safety-related SARPs. It was noted that under Article 54 j), it was a mandatory function of the Council of ICAO to report to Contracting States any failure to carry out recommendations or determinations of the Council.

7. In adopting Resolution A35-7, the Assembly strongly supported the unified strategy to resolve safety-related deficiencies, and requested the Council to implement the strategy based on the principles of increased transparency, cooperation and assistance, and to foster, where appropriate, partnership among States, users, air navigation service providers, industry, financial institutions and other stakeholders to analyse causes, establish and implement sustainable solutions in order to assist States in resolving safety-related deficiencies.

8. The Organization is vigorously pursuing the implementation of Resolution A35-7. Similarly, all ICAO Contracting States are urged to take appropriate action towards the full implementation of the resolution in the interest of global civil aviation safety.

Accept, Sir/Madam, the assurances of my highest consideration.



Taïeb Chérif
Secretary General

Enclosure:

Assembly Resolution A35-7

Assembly Resolution A35-7: Unified strategy to resolve safety-related deficiencies

Whereas a primary objective of the Organization continues to be that of ensuring the safety of international civil aviation worldwide;

Whereas ensuring the safety of international civil aviation is also the responsibility of Contracting States both collectively and individually;

Whereas in accordance with Article 37 of the Convention on International Civil Aviation each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulation, standards, procedures and organization in relation to aircraft, personnel, airports, airways and auxiliary services in all matters in which uniformity will facilitate and improve air navigation;

Whereas the improvement of the safety of international civil aviation on a worldwide basis requires the active collaboration of all stakeholders;

Whereas the Convention and its Annexes provide the legal and operational framework for Contracting States to build a civil aviation safety system based on mutual trust and recognition, requiring that all Contracting States implement the SARPs as far as practicable and adequately perform safety oversight;

Whereas the results of the Universal Safety Oversight Audit Programme (USOAP) indicate that several Contracting States have not yet been able to establish a satisfactory national safety oversight system;

Whereas the ICAO Technical Cooperation Bureau (TCB) can provide the required assistance to States in need;

Whereas the International Financial Facility for Aviation Safety (IFFAS) has been established to assist Contracting States in financing safety-related projects to correct deficiencies primarily identified through USOAP and for which they cannot otherwise provide or obtain necessary financial resources;

Recognizing that not all Contracting States have the requisite human, technical and financial resources to adequately perform safety oversight;

Recognizing that the establishment of regional and sub-regional safety oversight organizations has great potential to assist States in complying with their obligations under the Chicago Convention through economies of scale and promotion of uniformity on a larger scale;

Recognizing that the assistance available to Contracting States experiencing difficulties in correcting deficiencies identified through the safety oversight audits would be greatly enhanced by a unified strategy involving all Contracting States, ICAO and other concerned parties in civil aviation operations;

Recognizing the safety enhancement contributions resulting from audits conducted by international and regional organizations such as the IATA Operational Safety Audit (IOSA) Programme and Eurocontrol ESARR Implementation Monitoring and Support (ESIMS) Programme;

Recognizing that transparency and sharing of safety information is one of the fundamental tenets of a safe air transportation system;

The Assembly:

1. Urges all Contracting States to share with other Contracting States critical safety information which may have an impact on the safety of international air navigation and to facilitate access to all relevant safety information;
2. Encourages Contracting States to make full use of available safety information when performing their safety oversight functions, including during inspections as provided for in Article 16 of the Convention;
3. Directs the Council to further develop practical means to facilitate the sharing of such safety information among Contracting States;
4. Reminds Contracting States of the need for surveillance of all aircraft operations, including foreign aircraft within their territory and to take appropriate action when necessary to preserve safety;
5. Directs the Council to develop a procedure to inform all Contracting States, within the scope of Article 54 j) of the Chicago Convention, in the case of a State having significant compliance shortcomings with respect to ICAO safety-related SARPs;
6. Directs the Council to promote the concept of regional or sub-regional safety oversight organizations;
7. Requests the Secretary General to continue to foster coordination and cooperation between USOAP and audit programmes of other organizations related to aviation safety, and specifically with IATA and Eurocontrol;
8. Urges Contracting States to further develop regional and sub-regional cooperation and, whenever feasible, partnership initiatives with other States, industry, air navigation service providers, financial institutions and other stake holders to strengthen safety oversight capabilities in order to foster a safer international civil aviation system and to better discharge their individual responsibilities;
9. Encourages States to foster the creation of regional or sub-regional partnerships to collaborate in the development of solutions to common problems to build their individual safety oversight capability;
10. Encourages all States able to do so to participate in, or provide tangible support for, the strengthening and furtherance of regional safety oversight organizations;
11. Invites Contracting States to use the services of the ICAO Technical Cooperation Bureau (TCB) to resolve deficiencies identified by the USOAP;
12. Invites Contracting States experiencing difficulties in financing measures necessary to correct safety-related deficiencies identified through USOAP to take advantage of the funding opportunity offered by the International Financial Facility for Aviation Safety (IFFAS);
13. Requests the Council to implement a unified strategy based on the principles of increased transparency, cooperation and assistance and to foster, where appropriate, partnership among States, users,

air navigation service providers, industry, financial institutions and other stake holders to analyse causes, establish and implement sustainable solutions in order to assist States in resolving safety-related deficiencies;

14. Directs the Council to adopt a flexible approach for the provision of assistance through the ICAO Regional Offices to support regional and sub-regional organizations responsible for safety oversight tasks and to implement an efficient system to monitor implementation of the unified strategy.

15. Requests the Secretary General to investigate ways in which the identification of measures may be undertaken at national and regional levels to support States' development of ATM safety oversight capabilities and procedures.

Associated practice

1. The Council should develop ways in which all relevant information from the Audit Findings and Differences Database (AFDD) could be made available to all Contracting States through the use of the ICAO secure website.

— END —